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that history is that as the solution of the problem can only be accomplished through exclusion by federal enactment, the continued failure of Congress to exercise its authority, thus leaving the people of the States to their own

devices, will increase public resentment in the respective localities and proportionately complicate the real problem by involving in its discussion many matters of an extraneous or at best incidental nature.

The Japanese Question in California

By LOTHROP STODDARD, PH.D., J.B.¹

Brookline, Massachusetts

THE full significance of the present agitation in California against the influx and settlement of Japanese can not be appreciated unless we understand that it is only a phase of two larger issues: the issue of Asiatic immigration, from whatever source, into the United States; and the even larger issue of colored immigration into lands of white settlement throughout the world. For the last half-century the relations of the white and non-white races have been growing both closer and more critical, until today they constitute unquestionably the gravest problem which confronts the world.

These relations are the logical outcome of the past four centuries of world history. During the last four hundred years the whites have spread broadcast over the globe, occupying its empty regions, like America and Australia, and building up a civilization characterized preëminently by high standards of living. Down to the last few decades of this long period the non-white races were practically passive, staying in their ancestral homes and filling those regions with dense populations characterized by low standards of living. But of late years

the non-white races have begun to stir. They hear about rich, thinly-peopled white men's lands. They learn the ease of ocean travel. They chafe at their pinched, crowded existence and long to enter those newer white men's lands whose ampler opportunities render them a veritable earthly paradise. They begin to cross the white world's frontiers. But the white inhabitants of these frontier regions at once take alarm. Relatively insignificant in numbers, they see themselves menaced by countless hordes of colored men threatening them with the destruction of their living standards, with numerical submersion, with social sterilization, and with ultimate racial extinction. Naturally the whites resolve that this shall not be. They resolve that the lands won by their pioneering enterprise shall remain their possession and the heritage of their children. They erect legal barriers debarring the colored immigrants from their soil. The colored man is thus balked in his dearest hopes. He strives to evade these legal barriers, and to a certain extent succeeds. The whites are still further alarmed. The barriers are still further strengthened. The colored pressure against them grows in turn. Passions become more and more inflamed. Both sides invoke the elemental principle of self-preservation. Both sides threaten to make good their

¹ Author of: *The French Revolution in San Domingo* (1914), *Present-Day Europe—Its National States of Mind* (1917), *The Stakes of the War* (1918), *Harper's Pictorial Library of the World War* (vol. 6, *The World at War*), (1919), *The Rising Tide of Color against White World-Supremacy* (1920).—The Editor.

cause by the ultimate argument of force—*i.e.*, war.

That, in brief, is the situation which has developed between the teeming populations of awakened Asia and the frontier populations of the white world. Its most acute phase, to be sure, is today seen in California, and it is to that phase that this paper will be chiefly devoted. The reader should remember, however, that what he learns concerning the Japanese in California holds good for all types of Asiatic in other states of our Union, in Canada, in Australia, in South Africa and in every other region of white settlement where the man of color attempts to penetrate. It is a true world-problem which confronts us, and it must be considered in this broad way.

California, however, presents the best epitome of the problem of colored immigration into white territory. It was in California that Asiatic immigration was first clearly recognized to be a "problem," and it is California which has been the special goal of all three of the Asiatic migratory races—Chinese, Japanese and Hindus. In fact, the present Japanese immigration is a secondary phenomenon in the history of Asiatic penetration of California. Chinese immigration was the first phase, and the Chinese Exclusion Act of 1892, taken in conjunction with the "Asiatic Barred Zone" clause of the Immigration Act of 1917 by which Hindu immigration was likewise stopped, together suggest workable means for dealing with the Japanese question.

Chinese immigration into California began shortly after the gold rush of 1849. In the year 1854 more than thirteen thousand Chinese arrived, and so great was the influx in succeeding years that the white settlers grew gravely alarmed. The Chinese worked

so hard and lived so cheaply that white labor simply could not compete against them, and with human reservoirs of over 400 million to draw on it soon became clear that the Chinese immigration threatened to swamp California's small white population and turn our Pacific Coast into a yellow man's land. Accordingly, California began appealing to Washington for exclusionist legislation, reënforcing its arguments by a popular referendum held in 1880, which showed the inhabitants of the state overwhelmingly in favor of Chinese exclusion. Meanwhile Congress had appointed a special commission to investigate matters on the spot, and its report, together with the appeals from the Coast, finally convinced Congress that the Chinese influx must be stopped. Accordingly, a series of measures was passed culminating in the Geary Act of 1892. This exclusionist legislation worked. The Chinese population of the United States is today only about one-half what it was in 1890, and it continues to diminish so steadily that within another generation the Chinese element here will have dwindled to the vanishing point.

This Chinese prologue to the present Japanese problem bears upon that problem not only as illustrating the efficacy of exclusion legislation but also because the whole question of the legal status of Asiatics in the United States was threshed out and judicially settled. The founders of our Republic had obviously intended America to be a white man's country, the Naturalization Acts of 1802 and 1804 stating that only "free white persons" were capable of naturalization. After the Civil War naturalization was thrown open to Africans, but the Supreme Court held that this extension was restrictive and did not apply to Asiatics, who were thus incapable of becoming citizens,

albeit the children of Asiatics born on American soil were eligible. Furthermore the broad principles underlying the questions of immigration and naturalization were clearly defined. It has always been the contention of most international jurists that a sovereign state is the sole judge as to whom it shall admit either to entry or to citizenship, such prerogatives being an inherent part of its sovereignty and necessary to its self-defense. These contentions have been upheld by our Supreme Court.

These decisions are of fundamental importance. They prove that our action towards Asiatic immigration, settlement and citizenship can be considered purely as matters of policy, undisturbed by questions of legal right or obligation. Asiatics, particularly Japanese, are continually asserting that we have no "right" to discriminate between Asiatics and Europeans as regards either immigration or citizenship. Such contentions are, however, wholly baseless. On the contrary, both national and international law concur in giving us an absolute right to determine whom we shall admit to our territory and our franchise. It is one of the bright spots of the present situation that the legal bases have been so thoroughly established.

Japanese immigration did not become noticeable until the year 1900. In that year over twelve thousand Japanese entered the country. At this practically unheralded influx California instantly took alarm. The history of Chinese immigration had taught Californians the almost uncanny way in which an Asiatic influx could suddenly increase from nothing to portentous proportions. By 1905 the Japanese in California had become an international question owing to the diplomatic crisis over the San Fran-

cisco school segregation episode. This crisis, together with the rising tide of Japanese immigrants and the consequent alarm of the Pacific Coast, convinced the Federal Government that quick action was imperative. The upshot was the "Gentlemen's Agreement" of 1907—an attempt by our government to stop Japanese immigration without wounding Japanese susceptibilities. By this Agreement the Japanese Government agreed to discontinue the granting of passports to *laborers*.

The "Gentlemen's Agreement" (which still governs Japanese immigration to the United States) at first seemed to meet all expectations. In 1907, the year of its making, over thirty thousand Japanese entered this country. In 1908, the number of Japanese immigrants was only eighteen thousand, and in 1909 it fell to a trifle over three thousand. That, however, was the low-water mark. During the past decade Japanese immigration has been steadily rising, until in 1919 the number admitted was over sixteen thousand. The "Gentlemen's Agreement" has, in fact, satisfied neither the inhabitants of the Pacific Coast nor the experts of our Bureau of Immigration. Our Government, in negotiating the Agreement, aimed at restricting the influx of Japanese to a point similar to that already attained by the Chinese Exclusion Act; *i.e.*, to travellers, students, teachers, scientists and merchants engaged in international trade. But, by the terms of the Agreement, Japan limits her refusal of passports only to "laborers." To all other classes there is no bar. For example, farmers (as contrasted with farm laborers) do not fall within the prohibited class; and it is precisely these Japanese farmers who have been so active in that acquirement of agricul-

tural land which has so alarmed the Coast and has led to California's restrictive legislation.

Not merely California but adjacent western states have sought by legislative measures to stop the development of Asiatic agricultural colonies on their soil. In 1912, for example, Arizona passed such legislation. It was, however, California's famous Heney-Webb Land Act which brought on a diplomatic crisis between the American and Japanese governments more acute even than that of 1905. Japan protested strongly against such legislation, but the Federal Government upheld California as being within her legal rights. It is interesting to observe that the Californians were strengthened in their determination by the influx of a third type of Asiatic—the Hindu. The number of Hindus actually admitted was small, but the only reason was the uncompromising attitude of the immigration officers, who invoked every legal technicality to bar them out. These intensely objectionable Asiatics were desperately anxious to get in, and they were but the pioneers of countless swarms eager to come to America. Here was another Asiatic reservoir of over 300 million souls threatening to deluge the Coast. What wonder that the Coast became more determined than ever that Asiatics of whatever breed must be rigorously excluded if the Coast was to be kept a white man's country? What wonder that anti-Japanese sentiment grew ever stronger, especially when it became evident that the "Gentlemen's Agreement" failed to exclude and that the Japanese were gaining, both by immigration and by birth, an ever stronger hold on the land?

It was the latter element—the American-born Japanese—which was most disquieting to Californians. The

early Japanese influx, like the still earlier Chinese influx, had been one of male laborers, bringing few or no women. But as time passed the Japanese, settling on the land, sent for their wives or contracted marriages by proxy with girls in the old country, the courtship frequently consisting in an exchange of photographs—whence the term "picture brides." These women bore their husbands many children, who, being born on American soil, were American citizens, untouchable by any anti-Asiatic legislation. It was, in fact, by grants to these children that the Japanese were mainly able to circumvent the Heney-Webb Land Act prohibiting the ownership of land by aliens ineligible to citizenship.

The renewed anti-Asiatic efforts of the Coast first showed in the "Barred Zone" clause of the Immigration Act of 1917. This clause, embodied in Section 3 of the Act, excludes from the United States natives of the territories included within such zone not belonging to certain specified classes such as government officials, travellers for curiosity or pleasure, and persons of certain specified professional occupations. This Barred Zone includes the greater part of Asia. Japan lies outside of it. Nevertheless, it strikes indirectly at Japanese immigration by the fact that, taken in conjunction with the Chinese Exclusion Act, it debars virtually all Asiatics except the Japanese, who are still covered by the "Gentlemen's Agreement." Thus Japanese immigrants have become exceptions to our Asiatic exclusionist rule. The Hindus, for instance, are henceforth automatically excluded. Furthermore, the experts of our Immigration Bureau heartily endorse the Barred Zone idea and recommend that it be extended to cover not merely the whole of Asia but all of the rest of the non-white world.

In his 1919 report the Commissioner-General states that the Barred Zone idea offers the best means of protecting ourselves from fresh influxes of unas-similable aliens.

Meanwhile, California was preparing to deal with her Japanese problem by fresh state legislation. The Heney-Webb Land Act not having fulfilled expectations, remedial legislation of a very drastic nature was proposed in the spring of 1919. At that time Secretary of State Lansing cabled the California authorities from Versailles (the Peace Conference being then in session) that any anti-Japanese legislation might seriously compromise the world-settlement. Accordingly, California deferred action. However, Californians intended this only as a temporary postponement of action and deemed it an absolute necessity. Furthermore, they felt that federal as well as state action was imperative if the Japanese problem was to be satisfactorily solved. In order to present California's case in the strongest possible way, Governor Stephens instructed the State Board of Control to make a thorough investigation of the status of Asiatics in California. Accordingly, the Board drew up a very minute statistical report of its survey, submitting it to the Governor in the spring of 1920. This report discusses the status of Asiatics in California (Japanese, Chinese and Hindus) from every important angle. Its contents can not even be summarized within the limits of this paper, but the outstanding fact is that, whereas the Chinese and Hindus are rapidly decreasing, the Japanese are rapidly increasing, with a phenomenally high birth-rate and remarkable economic success, especially in the acquisition of land holdings.

This report was forwarded to the Secretary of State together with an explanatory covering-letter by Gov-

ernor Stephens, whose strongly worded recommendations may be summed up in the phrase: "The people of California are determined to repress a developing Japanese community within our midst." Federal aid was asked by "an exclusion act passed by Congress" which should "provide for the full exclusion of all Japanese, saving certain selected classes." Meanwhile California herself took action by formulating drastic legislation aimed at stopping the leaks in the Heney-Webb Act and at preventing the further acquisition of land by Japanese. The new measure was not brought up in the legislature but was in the form of an initiative measure to be submitted to the voters on Election Day, November 2, 1920. This was to give the measure the character of a popular referendum and an advertisement to the whole country of California's stand on the Asiatic immigration question. The measure passed by an overwhelming majority.

Before its passage the Federal Government, stirred by the popular feeling on the Coast, appointed a Congressional Committee which went out to the Coast and conducted a thorough investigation. The Committee has not yet formally reported its findings, but several of its members have expressed themselves to the effect that strict regulation of Asiatic immigration is a necessity.

Recalling the history of Chinese exclusion, we observe a remarkable similarity between the stages of the anti-Chinese and anti-Japanese agitations. The recent referendum of 1920 is the counterpart of the referendum of 1880, while the two Congressional investigations are parallel in scope and will apparently result in the same conclusions.

Everything portends the speedy stoppage of Japanese immigration,

either by rigid exclusionist legislation or by an ironclad diplomatic agreement with Japan. This appears to be the only way of settling a chronic problem which, for the last twenty years has kept the Coast in ferment, has poisoned Japanese-American relations and contains within itself the seeds of war. A settlement, at once prompt and definite, is imperative. Faltering and half-measures are worse than useless.

The Coast has made a good case. It has a right to be freed from the menace of Asiatic pacific penetration, from whatever quarter. Since Japan is today the only remaining source of Asiatic immigration, measures must be taken whose effect will be to insure that the Japanese element in the United States shall become, like the Chinese and Hindu elements, a stationary or dwindling one.

The Development of the Anti-Japanese Movement

By ROBERT NEWTON LYNCH

Vice-President and Manager, San Francisco Chamber of Commerce

THE question of Oriental immigration to the United States must now be squarely faced and in the interest of world peace an earnest attempt made to secure solution. California furnishes the facts as to the present conditions of this problem and California owes to the balance of the country an intelligent grasp of the problems involved and a sympathetic and humane consideration which will help guide the country to sane and peaceful solution.

There are stubborn facts to be faced, some of these are unalterable and others do not admit of immediate change, but must await education and be submitted to time and experience. One of these is that the Japanese do not assimilate. Another is that the Japanese are not eligible to citizenship. Individually they have a high order of efficiency, are exceedingly industrious, very ambitious and quite capable of rising immediately above the status of common labor. It is evident that the permanent presence of a large body of such people in the United States, highly concentrated in certain favorable localities, backed by a powerful and proudly sensitive government, raises a practically unsolvable problem

and threatens the peace of two otherwise friendly powers. This is the California situation in a nut-shell. The issue is clouded with many circumstances and has aroused much unnecessary antagonism and hostility. Some of the obvious facts have been hotly debated, fears have been exaggerated, and political advantage on both sides of the water has been taken of the situation. Individual derelictions and general indictments of national character have colored the discussion and influenced action. One would covet more intelligent analysis and recognition of inevitable facts and situations.

The first instalment of Japanese immigration was rather welcomed in California, notwithstanding the fact that California had passed through a definite experience with the Chinese leading to the passage of exclusion laws. The Chinese residents in the state, after rigid exclusion was adopted, have completely turned the sentiment of the people from that of dislike and hostility to that of respect and even admiration for their character and qualities. After they ceased to be an economic menace they rapidly won a place for themselves and ceased en-